

## **PATIENT ABANDONMENT**

The Wisconsin Administrative Code and the Rules and Regulations that govern the practice of nursing do not specifically define the term “abandonment”. Abandonment falls under the general category of misconduct or unprofessional conduct. Misconduct or unprofessional conduct is defined in N7.04 of the Rules and Regulations. It states, “misconduct or unprofessional conduct” means any practice or behavior which violates the minimum standards of the profession necessary for the protection of the health, safety, or welfare of a patient or the public.”

The Board of Nursing (BON) has been asked to describe the circumstances where a nurse’s actions would be considered misconduct or unprofessional with regard to abandonment and thereby subject to discipline. The BON considers each complaint individually, examining the circumstances and facts of the situation as it pertains to the involved licensees, including the nurse who is assigned to provide care and the nurses who supervise or manage the staff.

When reaching a decision on whether misconduct has occurred, the BON will consider, but is not limited to the following:

- 1) Was sufficient notice given to a manager or other responsible individual, including client in a home care setting, of the nurse’s intent to cease providing nursing care such that arrangements could be made to assure continuity of nursing service?
- 2) Did the nurse report essential patient information to an appropriate person?
- 3) What were the issues or reasons that the nurse would not accept or continue an assignment?

The BON has determined that it will not consider personnel issues over which the BON has no jurisdiction. Examples may be:

- 1) A nurse refusing to remain on duty for an extra shift or partial shift beyond his/her established schedule.
- 2) Refusal to float to an unfamiliar unit.

The primary responsibility of the BON, relative to the licensees who practice nursing, is public safety. All investigations of complaints focus on patient safety. The actions and conduct of licensees are determined to be or not to be negligent or unprofessional based on what actions a reasonable and prudent nurse would take in the same or similar circumstances.